

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**James C. Sherrod
Plaintiff**

**CIVIL ACTION NO. 04-208 ERIE
Magistrate Judge Susan Paradise Baxter**

vs.

JURY TRIAL DEMAND

**Booker T. Washington Center
Defendant**

PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME NUNC PRO TUNC

AND NOW, comes plaintiff, by and through his attorney, Edith Benson, and seeks an enlargement of time to one day to file his response to defendant's Motion for Summary Judgment and states as follows:

1. The current Case Management Order required plaintiff response by yesterday, March 20, 2006.
2. In preparation for filing a Memorandum in Opposition with Supporting Documentation, plaintiff's counsel had the supporting documents scanned and put on a disc.
3. Last evening, in a "pre-test" before submission, plaintiff's counsel learned the disc would not permit the transmission of documents according to court requirements.
4. This is the first case that plaintiff's counsel has handled under the electronic filing rules and procedures.
5. Plaintiff's counsel essentially uses her computer as a typewriter or word processing machine and lacks the technology skills and comfort to resolve these matters on her own.
6. Plaintiff's counsel did take the required CM/ECF training.
7. Attached is plaintiff's Memorandum in Opposition and Supporting Documentation.

WHEREFORE, plaintiff request an enlargement of time nunc pro tunc for the submission of his response.

Edith Benson, Esquire
PA. Atty. No.: 33510
4683 Budd Drive
Erie, PA 16506
814-838-3670